

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** StClair, Christie  
**Sent:** Wed 11/18/2015 3:47:45 PM  
**Subject:** Deseret News piece on Utah's \$300K bill

Nancy, did Amy reach out to you for comment on this piece?

<http://www.deseretnews.com/article/865641777/Utah-sends-300K-bill-to-EPA-over-mine-spill.html?pg=all>

Utah sends \$300K bill to EPA over mine spill

By Amy Joi O'Donoghue

SALT LAKE CITY — The state of Utah has submitted a bill to the U.S. Environmental Protection Agency for just over \$300,000 for a first round of reimbursement in connection with the Gold King Mine spill.

The Aug. 5 blowout of the legacy mine sent 3 million gallons of yellow-orange toxic sludge into the Animas River near Silverton, Colorado, ultimately spreading to Utah, New Mexico and the lands of two Native American tribes.

The spill eventually made its way to the San Juan River and into Lake Powell. The sludge contained a multitude of heavy metals, including arsenic, lead, cadmium and mercury.

The Utah Division of Water Quality, through Gov. Gary Herbert's emergency declaration, is seeking reimbursement for \$302,309 for water samples it took over a several-week period to determine the extent of contamination.

Craig Anderson, an assistant Utah attorney general, told members of the Utah Water Development Commission that the state has been working with the EPA, the mine owner, and the state of Colorado to initiate all the necessary paperwork to ensure Utah is left whole.

That was the chief concern of state Sen. Margaret Dayton, R-Orem, that she voiced after the Tuesday briefing.

"We would like to know the state has been taken care of financially, as well as any other updates," she said.

Anderson said the plume of pollution carried into Lake Powell through the San Juan watershed ultimately lost its bright orange sheen, but heavy metals were deposited in sediment that could be recirculated in a heavy storm event or high river flows.

A 132-page report released in October by the U.S. Department of Interior concluded the spill could have been avoided if the EPA and its contractors had used a drill to check wastewater levels before using heavy equipment to open a clogged portal.

"It was foreseeable," Anderson said, noting that the Bureau of Reclamation and the Army Corps of Engineers noted that the EPA and its contractor knew there was a possibility of a blowout at the mine.

"They should have drained the wastewater and treated the wastewater," he said.

Two Utah congressmen, Rep. Rob Bishop, chairman of the House Natural Resources Committee, and Rep. Jason Chaffetz, chairman of the House Oversight and Government Reform Committee, sought documents from the EPA and Missouri-based Environmental Restoration to determine the extent of potential culpability.

The two asserted both the company and federal agency knew as early as June 2014 there was a potential for breach at the abandoned mine site.

Anderson told commission members that the mine breach continues to drain, fed by a series of interconnected tunnels that are part of a mining district that includes four other mines at higher elevations.

A wastewater treatment plant has been constructed to treat that water downstream from the Gold King Mine.

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